

CONFERENCE COMMITTEE REPORT DIGEST FOR SB 513

Citations Affected: IC 6-3.5; IC 13-21.

Synopsis: Solid waste management districts. Provides that a resolution passed by a county fiscal body to approve a distribution to a solid waste management district under the laws concerning the county option income tax and the county adjusted gross income tax may: (1) expire on a date specified in the resolution; or (2) remain in effect until the county fiscal body revokes or rescinds the resolution. Prohibits solid waste management districts, after January 1, 1999, from adopting a resolution that establishes permits or licenses for the siting or operation of a solid waste management facility that is not owned by the district or for the collection and transportation of solid waste if the siting or operation of the facility or the collection and transportation of the solid waste is regulated under a federal, state, or local statute or ordinance or is otherwise regulated by another governmental entity. Provides that the law restricting the provision of waste management services by districts does not apply to activities conducted as part of household hazardous waste collection and disposal projects. Allows a district to address multiple one day events in one resolution that allows the district to provide waste management services if the events all take place in the same year. Provides that a resolution adopted by a solid waste management district in St. Joseph County that: (1) took effect after December 31, 1998; and (2) imposes a fee within the district; is not effective in a municipality or township unless the municipality or township adopts the language of the resolution by ordinance or resolution. Provides that the language of the district resolution is effective in a municipality located within the township if the municipality adopts the language of the district resolution by ordinance or resolution. (This conference committee report: (1) removes language that would prohibit a solid waste management district from continuing to enforce a resolution or an ordinance after December 31, 1998, that established certain licenses or permits for the siting of solid waste facilities and the collection and transportation of solid waste; and (2) adds provisions concerning resolutions imposing fees in solid waste management districts in St. Joseph County.)

Effective: January 1, 1999 (retroactive); July 1, 1999; March 1, 2001.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 513 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 3, line 38, delete "or continue to enforce a resolution or an".
- 2 Page 3, line 39, delete "ordinance".
- 3 Page 7, line 9, delete "or continue to enforce a resolution or an".
- 4 Page 7, line 10, delete "ordinance".
- 5 Page 10, between lines 38 and 39, begin a new paragraph and insert:
- 6 "SECTION 6. [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]
- 7 **(a) This SECTION applies only to a resolution:**
- 8 **(1) adopted by a solid waste management district located in**
- 9 **a county having a population of more than two hundred**
- 10 **thousand (200,000) but less than three hundred thousand**
- 11 **(300,000); and**
- 12 **(2) that took effect after December 31, 1998.**
- 13 **(b) Notwithstanding IC 13-21-3-12(17), a resolution adopted by**
- 14 **a solid waste management district:**
- 15 **(1) under IC 13-21; and**
- 16 **(2) that imposes a fee within the district;**
- 17 **is not effective in a municipality or township unless the**
- 18 **municipality or township adopts the language of the resolution by**
- 19 **ordinance or resolution.**
- 20 **(c) Notwithstanding subsection (b), if a township does not adopt**
- 21 **the language of a district resolution by ordinance or resolution, the**
- 22 **language of the district resolution is effective in a municipality**
- 23 **located within the township if the municipality adopts the language**
- 24 **of the district resolution by ordinance or resolution.**
- 25 **(d) This SECTION expires January 1, 2004."**

- 1 Renumber all SECTIONS consecutively.
(Reference is to ESB 513 as printed April 6, 1999.)

Conference Committee Report
on
Senate Bill 513

Signed by:

Senator Gard

Representative Sturtz

Senator Craycraft

Representative Mangus

Senate Conferees

House Conferees